

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAVID BURNS,

Plaintiff,

v.

M.D. HANF, et al.,

Defendants.

Case No.: 2:19-cv-00722-CDS-NJK

ORDER

[Docket No. 65]

Pending before the Court is Plaintiff's motions to extend time for service and to serve Defendant Edmund Pillsbury. Docket No. 65.

In the order screening the complaint, the Court determined that the claim against Defendant Pillsbury could proceed. Docket No. 9 at 6. The Attorney General's Office was ordered to "file a notice advising the Court and Plaintiff of: (a) the names of the defendants for whom it accepts service; (b) the names of the defendants for whom it does not accept service, and (c) the names of the defendants for whom it is filing the last-known-address information under seal." Docket No. 20 at 2. The Attorney General's Office indicated that it would not accept service for Defendant Pillsbury, as it could not identify him after reasonable efforts. Docket No. 21. On March 16, 2022, the Court granted Plaintiff's previous motion to serve Defendant Pillsbury and extended the service deadline to June 17, 2022. Docket No. 61. On May 10, 2022, the summons issued was returned unexecuted because Defendant Pillsbury was not located at the address provided by Plaintiff. Docket No. 64. On May 17, 2022, Plaintiff filed the instant motion, including a new address at which he believes Defendant Pillsbury can be located for service.

Plaintiff's motion for service on Defendant Pillsbury is therefore **GRANTED**. Docket No. 65. The Court therefore **ORDERS** as follows:

- The Clerk's Office is **INSTRUCTED** to mail Plaintiff a blank copy of the USM-285 form.

- Plaintiff will have twenty days in which to furnish the United States Marshal with the required USM-285 form with the relevant information as to Defendant Pillsbury included on the form.
- The Clerk's Office will issue summons to Defendant Pillsbury, and deliver the complaint and that summons to the United States Marshal for service.
- Within twenty days after receiving from the United States Marshal a copy of the Form USM-285, showing whether service has been accomplished, Plaintiff must file a notice identifying whether Defendant Pillsbury was served. If service was unsuccessful and Plaintiff wishes to have service attempted again, a motion must be filed identifying the unserved defendant and specifying a detailed name and/or address for said defendant, or whether some other manner of service should be attempted.

In light of the above, the Court also **GRANTS** Plaintiff's request to extend the service deadline in this case. The Court **EXTENDS** the deadline to complete service in this case to **July 18, 2022**.

IT IS SO ORDERED.

Dated: May 18, 2022



Nancy J. Koppe
United States Magistrate Judge